

ASSEMBLY BILL

No. 1073

Introduced by Assembly Member Ting

February 27, 2015

An act to amend Section 4076.5 of the Business and Professions Code, relating to pharmacy.

LEGISLATIVE COUNSEL'S DIGEST

AB 1073, as introduced, Ting. Pharmacy: prescription drug labels.

The Pharmacy Law provides for the licensure and regulation of pharmacists by the California State Board of Pharmacy. That law requires the board to promulgate regulations that require, on or before January 1, 2011, a standardized, patient-centered, prescription drug label on all prescription medicine dispensed to patients in California. Existing regulations of the board implement that requirement.

This bill would remove that obsolete date.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4076.5 of the Business and Professions
- 2 Code is amended to read:
- 3 4076.5. (a) The board shall promulgate regulations that ~~require,~~
- 4 ~~on or before January 1, 2011,~~ *require* a standardized,
- 5 patient-centered, prescription drug label on all prescription
- 6 medicine dispensed to patients in California.
- 7 (b) To ensure maximum public comment, the board shall hold
- 8 public meetings statewide that are separate from its normally

1 scheduled hearings in order to seek information from groups
2 representing consumers, seniors, pharmacists or the practice of
3 pharmacy, other health care professionals, and other interested
4 parties.

5 (c) When developing the requirements for prescription drug
6 labels, the board shall consider all of the following factors:

7 (1) Medical literacy research that points to increased
8 understandability of labels.

9 (2) Improved directions for use.

10 (3) Improved font types and sizes.

11 (4) Placement of information that is patient-centered.

12 (5) The needs of patients with limited English proficiency.

13 (6) The needs of senior citizens.

14 (7) Technology requirements necessary to implement the
15 standards.

16 (d) The board may exempt from the ~~requirements of~~ regulations
17 promulgated pursuant to subdivision (a) prescriptions dispensed
18 to a patient in a health facility, as defined in Section 1250 of the
19 Health and Safety Code, if the prescriptions are administered by
20 a licensed health care professional. Prescriptions dispensed to a
21 patient in a health facility that will not be administered by a
22 licensed health care professional or that are provided to the patient
23 upon discharge from the facility shall be subject to the ~~requirements~~
24 ~~of~~ this section and the regulations promulgated pursuant to
25 subdivision (a). Nothing in this subdivision shall alter or diminish
26 existing statutory and regulatory informed consent, patients' rights,
27 or pharmaceutical labeling and storage requirements, including,
28 but not limited to, the ~~requirements of~~ Section 1418.9 of the Health
29 and Safety Code or Section 72357, 72527, or 72528 of Title 22 of
30 the California Code of Regulations.

31 (e) (1) The board may exempt from the ~~requirements of~~
32 regulations promulgated pursuant to subdivision (a) a prescription
33 dispensed to a patient if all of the following apply:

34 (A) The drugs are dispensed by a JCAHO-accredited home
35 infusion or specialty pharmacy.

36 (B) The patient receives health-professional-directed education
37 ~~prior to~~ *before* the beginning of therapy by a nurse or pharmacist.

38 (C) The patient receives weekly or more frequent followup
39 contacts by a nurse or pharmacist.

- 1 (D) Care is provided under a formal plan of care based upon a
- 2 physician and surgeon's orders.
- 3 (2) For purposes of paragraph (1), home infusion and specialty
- 4 therapies include parenteral therapy or other forms of
- 5 administration that require regular laboratory and patient
- 6 monitoring.

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